5/001/0038
cc: peter

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Color Country District Office
Cedar City Field Office
176 East DL Sargent Drive
Cedar City, UT 84721
Telephone (435) 586-2401
www.blm.gov/ut/st/en/fo/cedar_city.html

TAKE PRIDE IN AMERICA

RECEIVED
FEB 19 2013
DIV. OF OIL, GAS & MINING

In Reply Refer To:
UTC01
3809: UTU-72221

February 15, 2013

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
#7012 0470 0002 4070 4941

DECISION

Operator:	:	**Notice:** UTU-72221
Mr. Stephan Gale	:	**Project Name:** Anval
P.O. Box 855	:	
Beaver, UT 84713	:	

Notice Expired
Reclamation Required

Notice UTU-72221 was filed with this office on May 24, 1994, and acknowledged as complete via letter dated June 6, 1994. Following the implementation of the new 43 CFR 3809 regulations, effective January 21, 2001, the notice was timely extended and reclamation bonded by the regulatory deadline of January 21, 2003. In compliance with section 3809.333 of those new regulations (requiring that an operator wishing to extend their notice must notify the BLM in writing on or before the two-year anniversary date of the notice), you timely re-extended the notice on or before the two-year anniversary date of the 2003 date, in 2005, 2007, 2009 and 2011. This office did not receive written notification to extend the UTU-72221 notice on or before the 2013 anniversary date of January 21, 2013; consequently, your notice expired on January 22, 2013.

Pursuant to 43 CFR 3809.335, you must immediately cease all operations with the exception of reclamation. A reclamation plan and schedule must be submitted within 30 days of receipt of this decision. The reclamation plan and schedule must be accepted prior to any work commencing on the ground.

Your reclamation obligation continues beyond the expiration of your notice until such time as BLM determines that the reclamation is satisfactorily completed. Failure to begin reclamation promptly or to conduct reclamation to BLM specified standards is subject to the enforcement actions specified in 43 CFR 3809.601 to 43 CFR 3809.701

If you want to continue mining activity at this site you must submit a plan of operations within 30 days of receipt of this decision. The information that must be included in the plan of operations is listed in 43 CFR 3809.401. If you want to continue exploration activity at this site then a new notice must be filed within 30 days of receipt of this decision. The information required for submission of a complete notice is found at 43 CFR 3809.301. The plan of operations must be approved or the

notice accepted and a financial guarantee accepted prior to any additional earth disturbing activities occurring at this site.

If you fail to submit a reclamation plan and schedule or a new notice or a new plan of operations for the outstanding disturbances at this site you will be in noncompliance. A noncompliance order will be issued and appropriate enforcement actions taken.

If you are adversely affected by this decision, you may request that the Utah BLM State Director review this decision. If you request a State Director Review, the request must be received in the Utah BLM State Office at P.O. Box 45155-0155, Salt Lake City, Utah 84145-0155, no later than 30 calendar days after you receive or have been notified of this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless a stay is granted by the State Director. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the State Director does not make a decision on your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the Utah BLM State Office to determine when BLM received the request for State Director Review. You have 30 days from the end of the 21-day period in which to file your Notice of Appeal with this office at Cedar City Field Office, 176 East DL Sargent Drive, Cedar City, UT 84721 which we will forward to IBLA.

If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR 3809.801(a)(1). Your Notice of Appeal must be filed in this office at Cedar City Field Office, 176 East DL Sargent Drive, Cedar City, UT 84721 within 30 days from receipt of this decision. As the appellant you have the burden of showing that the decision appealed from is in error. Enclosed is BLM Form 1842-1 that contains information on taking appeals to the IBLA.

This decision will remain in effect while the IBLA reviews the case, unless a stay is granted by the IBLA. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Sincerely,

Elizabeth R Burghard

Elizabeth Burghard
Field Office Manager

Enclosure: Reclamation Standards for Cedar City Field Office
BLM Form 1842-1

cc: Peter Brinton, DOGM (UDOGM file S/001/0038)